

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 99-6923**

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In Re: SIDNEY THORNTON ZEMP, III,

Petitioner.

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On Petition for Writ of Mandamus. (178153-A1)

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Submitted: August 17, 1999

Decided: October 5, 1999

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Before MURNAGHAN and MICHAEL, Circuit Judges, and PHILLIPS, Senior  
Circuit Judge.

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Dismissed by unpublished per curiam opinion.

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Sidney Thornton Zemp, III, Petitioner Pro Se.

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Unpublished opinions are not binding precedent in this circuit.  
See Local Rule 36(c).

PER CURIAM:

Sidney T. Zemp has filed a petition for review, pursuant to Fed. R. App. P. 15(a), seeking to challenge a decision by the Administrator of National Inmate Appeals for the Bureau of Prisons. Zemp is incarcerated at Edgefield Federal Correctional Institution in South Carolina. Zemp appealed a grievance through his counselor and the warden, alleging that his history of violence score is incorrectly high under Program Statement 5100.06. Upon denial of the grievance by the national administrator, he seeks review from a three-judge panel of this Court pursuant to Fed. R. App. P. 15.

Rule 15 is a procedural rule describing the means to petition a court of appeals for review of an agency order; it is not a jurisdictional source. Wright, Miller & Cooper, Federal Practice and Procedure: Jurisdiction 3d § 3961 (1999). Jurisdiction for review of an agency order is generally provided by the statute that governs the agency's powers. Id. Zemp cites to no statute that provides jurisdiction in this case, and we are aware of none.

To the extent that the petition is construed as a petition for mandamus, Zemp has failed to establish that he has a clear, indisputable entitlement to the relief he seeks. Allied Chem. Corp. v. Daiflon, Inc., 449 U.S. 33, 35 (1980). Therefore, we must dismiss the petition for lack of jurisdiction. We dispense with oral argument because the facts and legal contentions are adequate-

ly presented in the materials before the court and oral argument would not aid the decisional process.

DISMISSED